FOR MYSORE STATE

Revenue (1952) Dept

Ms Series

G.O No 1233

dt 26-4-52

Close
HB.
9.5.52
Supt.

Abstract

Land (S. Kanara) Puttur Tk -
Kyre vge S. No. 362 Assignment in
favour of the encroachers Orders passed

REVENUE DEPARTMENT:

SUBJECT:

ENCROACHMENT-Land(South Kanara)-Puttur Taluk-Ujre Village-S.No. 362-Proposal to assign in favour of the encroacher.

Ref:B:629-52-1 Dated: 14th March 1952: Station: Madras

From

Sri A.F. Mascarenhas, I.A.S., Secretary, Board of Revenue

Sri W.R.S. Sattianathan, I.C.S., Commissioner of Land Revenue

Read:South Kanara Collector's Ref:C:B:5:28085/51 dated 18-12-51

Reference:

Submitted to the Government.

2. In the circumstances reported by the Collector the Board agrees with him and recommends that he may be permitted to assign the plot to the encroacher as a special case.

For Secretary

To

The Secretary to the Government
Revenue Department

NS 15 3

17/3

Ref.C.No.B5.28085/51

S K. Collector's Office,
Mangalore, dated 18.1.52.

From

SRI A.R. RAJARATNAM B.A.,
Collector of South Kanara.

To

The Secretary to the Board
of Revenue, Land Revenue,
Chepauk, Madras 5.

Sir,

ENCROACHMENT Land (S.K.) Puttur Taluk - Ujre village - S.No.362 - Proposal to assign.

A portion of S.No.362 (A.W.Dry) of Ujre village puttur taluk has been encroached upon by one Hande Beary by constructing a thatched hut and a well and by planting jack plants. The extent under effective occupation is 12 cents. The encroachemnt is more than three years old and was effected prior to 1.5.48. The encroached portion is shown as S.No.535/2 in the eye sketch at page 75 of the file enclosed. The value of the encroachment is about Rs.300/-.

2. The encroachment is situated beyond 50 links from the Panchayath Board Road and the Panchayath Board has no objection to the assignment of the plot to the encroacher.

3. The encroachers is a landless poor person but still, as the portion encroached upon falls in the middle of a compact block of 100 acres, its assignment to the encroachers is not permissible, as per the instructions contained in the Government Memo. No.54162-F/49 dated 13.10.49. But this case falls under para 3(ii) of G.O.1523/11.6.49 as amended by Government Memo 40263/15.7.49, as the encroachment was effected prior to 1.5.48 and the encroachers is a landless poor person.

Taking three facts into consideration I recommend the relaxation of the rules as a special case, and recommend that the plot may be permitted to be assigned to the ~~xxxxxxxx~~ encroachers.

The records of enquiry pages 1-88 are enclosed for personal return.

Yours faithfully,
Sd/
For Collector.

/True Copy/

V/13.

Rev Dept

(P. No 17464 H/52) Read:-

P.U.- From the Board of Rev, Ref. B. 629-52-1 d 15.3.52

G.O Ms. 1233 Rev d 26-4-52

In the circumstances reported, the Govt accept the recommendation of Board of Revenue and permit the Collector of South Kanara, to assign the plot of land measuring 12 cents, in S. No 362 of Ujire village, Puttur taluk, South Kanara District in favour of the encroacher, as a special case.

To

The Board of Rev

Copy to the Collector of South Kanara

(C.No1744/44/C2) Land - (South Kanara) - Puttur Taluk - Vjra Village - S. No. 362 - Assignment in favour of the encroacher - Proposal.

From the Board of Revenue, Ref. B.629-52-1 d 15.3.52

To AS

Please see the Board's reference and its enclosure in the cf. The Collr's report u/p 2 c/f explains the facts of the case.

2. The Collector of South Kanara has stated that a portion of S. No 362 of Vjra village, puttur taluk has been encroached upon, by construction of a thatched hut and a well and by planting jack plants. It is stated that the encroachment is more than three years old and the encroacher is a landless poor person. Under para 3(ii) of G.O 1523 Rev d 11.6.49, encroachers on small extents of Govt lands, ie on not more 2 ½ cents of wet or 50 cents of dry land need not evicted, if there are no objections to this and these lands may be assigned or leased to them. In the present case, the portion of land encroached upon, is 12 cents! But according to Memo No 54162 F/49 d 13.10.49, if the encroachment is entirely within the compact block and not on its border then the encroachment may be considered objectionable. In this case, the Collector has reported that land lies in the middle of a compact block of 100 acres. and requests that this land may be assigned to the encroacher as a special case, relaxing the rules. The Board recommends the Collector's proposal for assignment. ~~For orders whether the Board's recommendation may be accepted~~

Thro' A and F

8/1/4/52 The orders in G.O. No. 1523 Rev-B 11.6.49, Revn No. 40263 F/49-2 Rev of 15.7.49 etc. referred to in the Collr's letter apply only to assignment of lands for

(C/B)

cultn. purposes. In the present case the encroachment is by construction of a thatched hut & a well and by planting jack trees. The assignment should be treated as grant of a house site. There are restrictions in the matter of disposal of lands in municipal and non-municipal towns - please see orders in G.O. 3035 Rev. dt 21.11.1957. For orders, whether the Collr. may be informed that he may take steps to assign the land in qn. as a house site if the land will not be required to be reserved under the orders in G.O. 3035 dt 21.11.57 (H)

The land in qn is in a village & there is no suggestion that it is either in a Municipality or a Panchayat Act.

The proposal to assign the land to the occupier may be approved

7/4/52

12/4/52

16/4

17 APR 1952

To BS

Rev Dept

Please see the notes from p-1 ante and orders in circulation on p.2 ante. A draft order is submitted for approval.

GS
21/4/52

21.4.52

24.4.52